

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**RICHARD A. ROSS and FIELDSTONE
VENTURES, LLC**, on their own behalf and
on behalf of all others similarly situated,

Plaintiffs,

v.

**EQT CORPORATION,
EQT PRODUCTION COMPANY,
RICE DRILLING B, LLC, VANTAGE
ENERGY APPALACHIA LLC, and
VANTAGE ENERGY APPALACHIA II
LLC,**

Defendants.

Civil Action No. 2:21-cv-01585-WSS

MOTION TO REMAND

Plaintiffs Richard A. Ross and Fieldstone Ventures, LLC, through their undersigned counsel, file this *Motion to Remand*, respectfully moving this Honorable Court to remand this case to the Court of Common Pleas of Allegheny County, Pennsylvania.

As set forth in Plaintiffs' *Brief in Support of Motion to Remand*, which is hereby incorporated by reference, Removing Defendants' Notice of Removal is procedurally defective for multiple independent reasons. First, the Notice of Removal fails to comply with 28 U.S.C. § 1446(b)(3) because the Notice of Removal relies on itself for allegations of class citizenship and size, but the Notice of Removal is not an initial pleading or a document received by Removing Defendants, making the removal inappropriate. Second, the Notice of Removal fails to comply with the plausibility requirements as required by *Dart Cherokee Basin Operating Co. v. Owens*, 574 U.S. 81, 89 (2014), because it contains only naked legal analysis without any supporting facts.

Plaintiffs therefore respectfully request that this Court grant this *Motion to Remand* and enter an order remanding this case back to the Court of Common Pleas of Allegheny County, Pennsylvania.

Respectfully submitted,

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